

CERTIFICATE OF ELECTRONIC TRANSMISSION
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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| Sheet | 1 | of | 2 | Attorney Docket Number | HO-P03203US0 |

| U.S. PATENT DOCUMENTS | | | | | |
|------------------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| AA* | US-5,047,055 | | 09-10-1991 | Bao et al. | |
| AB* | US-5,192,326 | | 03-09-1993 | Bao et al. | |
| AC* | US-5,314,477 | | 05-24-1994 | Marnay et al. | |
| AD* | US-5,370,697 | | 12-06-1994 | Baumgartner et al. | |
| AE* | US-5,401,269 | | 03-28-1995 | Bittner-Janz et al. | |
| AF* | US-5,556,431 | | 09-17-1996 | Buttner-Janz et al. | |
| AG* | US-5,674,296 | | 10-07-1997 | Bryan et al. | |
| AH* | US-5,824,094 | | 10-20-1998 | Serhan et al. | |
| AI* | US-5,865,846 | | 02-02-1999 | Bryan et al. | |
| AJ* | US-5,888,226 | | 03-30-1999 | Rogozinski | |
| AK* | US-6,001,130 | | 12-14-1999 | Bryan et al. | |
| AL* | US-6,156,067 | | 12-05-2000 | Bryan et al. | |
| AM* | US-6,162,252 | | 12-19-2000 | Kuras et al. | |
| AN* | US-6,302,914 | | 10-16-2001 | Michelson | |
| AO* | US-6,592,624 | | 07-15-2003 | Fraser et al. | |
| AP* | US-6,607,558-A1 | | 08-19-2003 | Kuras | |
| AQ* | US-6,645,248-A1 | | 11-11-2003 | Casutt et al. | |
| AR* | US-20020128715-A1 | | 09-12-2002 | Bryan et al. | |
| AS* | US-20020183848-A1 | | 12-05-2002 | Ray et al. | |
| AT* | US-20040068318-A1 | | 04-08-2004 | Coates et al. | |
| AU* | US-20040098131-A1 | | 05-20-2004 | Bryan et al. | |
| AV* | US-20040133281-A1 | | 07-08-2004 | Khandkar et al. | |
| AW* | US-20040153157-A1 | | 08-05-2004 | Keller | |
| AX* | US-20040199253-A1 | | 10-07-2004 | Link et al. | |
| AY* | US-20050159818-A1 | | 07-21-2005 | Blain | |
| AZ* | US-20050197705-A1 | | 09-08-2005 | Arnin et al. | |
| AA1* | US-20050216086-A1 | | 09-29-2005 | Marik et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | |
|---------------------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear |
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| NON PATENT LITERATURE DOCUMENTS | | | | | |
|--|-----------------------|---|--|-----------------|---|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | <input type="checkbox"/> T ² |
| | CA | FERCH et al., "Anterior correction of cervical kyphotic deformity: effects on myelopathy, neck pain, and sagittal alignment", J Neurosurg., Jan. 2004, 13-9, Vol. 100(1 Suppl Spine). | | | <input type="checkbox"/> |
| Examiner Signature | | | | Date Considered | |

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| Substitute for form 1449/PTO | | | | Complete if Known | |
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| | | | | Filing Date | June 30, 2005 |
| | | | | First Named Inventor | Neil Duggal |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 2 | of | 2 | Attorney Docket Number | HO-P03203US0 |

| | | |
|----|--|--|
| CB | HARRISON et al., "Modeling of the sagittal cervical spine as a method to discriminate hypolordosis: results of elliptical and circular modeling in 72 asymptomatic subjects, 52 acute neck pain subjects, and 70 chronic neck pain subjects", Spine, 2004, 2485-2492, Vol. 29(22). | |
| CC | HILIBRAND et al., "Radiculopathy and Myelopathy at Segments Adjacent to the Site of a Previous Anterior Cervical Arthrodesis", The Journal of Bone and Joint Surgery, 1999, 519-28, Vol. 81. | |
| CD | JOHNSON et al., "Sagittal Alignment and the Bryan Cervical Artificial Disc", Neurosurg Focus, 2004, 1-4, Vol. 17(6)(E14). | |
| CE | KATSUURA et al., "Anterior cervical plate used in degenerative disease can maintain cervical lordosis.", J Spinal Disord., Dec. 1996, 470-6, Vol. 9(6). | |
| CF | KATSUURA et al., "Kyphotic malalignment after anterior cervical fusion is one of the factors promoting the degenerative process in adjacent intervertebral levels", European Spine Journal, August, 2001, 320-324, Vol. 10(4). | |
| CG | KAWAKAMI et al., "Axial symptoms and cervical alignments after cervical. anterior spinal fusion for patients with cervical myelopathy", J. Spinal Disord, 1999, 50-56, Vol. 12. | |
| CH | PICKETT et al., "Effects of a Cervical Disc Prosthesis on Segmental and Cervical Spine Alignment", Neurosurg Focus, 2004, Vol. 17(3). | |
| CI | SEKHON et al., "Cervical Arthroplasty in the Management of Spondylotic Myelopathy: 18-Month Results", Neurosurg Focus, 2004, Vol. 17(3). | |

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